

**PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT**

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**DATE:** August 3, 2000

**TO:** Orange County Zoning Administrator

**FROM:** Planning and Development Services Department/Current Planning Services Division

**SUBJECT:** Public Hearing on Planning Application PA00-0051 for Coastal Development Permit

**PROPOSAL:** The applicant proposes to demolish an existing one-story, single-family residence and construction of a new 3-story, 2-unit condominium on a 1,740 square foot lot measuring approximately 30 feet x 59 feet. Each unit has a two-car garage with the cars parked in tandem.

**LOCATION:** In the community of Sunset Beach, northwesterly of Broadway, between Intrepid Lane and Bay View Drive at 16780 Bay View Drive. Second Supervisorial District.

**APPLICANT:** David and Michelle Havins

**STAFF** William V. Melton, Project Manager  
**CONTACT:** Phone: (714) 834-2541 FAX: (714) 834-4652

**SYNOPSIS:** Current Planning Services Division recommends Zoning Administrator approval of PA00-0051 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

**BACKGROUND:**

The subject site fronts on Bay View Drive and is developed with a small one-story single-family dwelling, or "beach cottage". The lot size is typical of the lots on the east side of Bay View Drive. Intrepid Lane abuts the rear of the property, which is also the boundary line between unincorporated Orange County and the City of Huntington Beach. There is a 6 feet high block wall at the rear that runs the entire length of the Intrepid Lane right-of-way separating County and City property.

Bay View Drive includes a mixture of housing types, ranging from older one-story, single-family cottages to newer large three-story, one and two family homes. Homes on the west side of Bay View Drive have rear yards that access the Sunset Beach Water Way. Even though the subject lot has less and 1,800 square feet, the SBR development regulations permit the construction of a one-family or two-family dwelling on each legal building site.

Each of the proposed condominiums will have a two-car tandem garage. Sunset Beach is the only area in the County that permits a garage where one of the parking spaces is in tandem. Unit A has two bedrooms, three bathrooms and balconies on the 2<sup>nd</sup> and 3<sup>rd</sup> levels at the rear. Entrance to this unit is at the rear of the

building. Unit B has two bedrooms, two bathrooms and a balcony on the 3<sup>rd</sup> level at the front of the building. Entrance to this unit is from the side of the building.

**SURROUNDING LAND USE:** (assumes Bay View Drive runs north/south):

Direction	Land Use Designation	Existing Land Use
Project Site	SBR “Sunset Beach Residential”	Single-family dwelling
North	SBR “Sunset Beach Residential”	Single-family dwelling
South	SBR “Sunset Beach Residential”	Single-family dwelling
East	City of Huntington Beach	Single-family dwelling
West	SBR “Sunset Beach Residential”	Single-family dwelling

**REFERRAL FOR COMMENT AND PUBLIC NOTICE:**

A Notice of Hearing was mailed to each property owner of record within 300 feet of the subject site, the LCP Board of Review and the California Coastal Commission. Coastal Development regulations also require mailing of the notice to the resident of a house within 100 feet of the subject site. However, the Post Office in Sunset Beach does not deliver mail directly to the homes. All U.S. Postal Service delivery is through post office boxes at the Sunset Beach Post Office. To satisfy Coastal Development requirements, a Notice of Hearing was posted at the Sunset Beach Post Office. Additionally, a Notice of Hearing was posted at the site as well as the Osborn Building. A copy of the planning application along with a copy of the proposed site plan were distributed for review and comment to 5 County divisions and the Sunset Beach LCP Review Board.

As of the writing of this staff report, no comments raising issues with the project have been received from other County divisions by staff. A comment was received from Rob Selway, Chief, HBP/Historical Facilities, stating that records indicated that the existing home was built in 1927 and may have historical significance. The applicant provided photographic evidence that the structure has had major alterations. After further review by HBP staff, it was determined that the alterations, among other things, had diminished the historical significance of the original structure, and they no longer had a concern the house was being demolished.

**CEQA COMPLIANCE:**

Negative Declaration No. PA000051 (Exhibit 2) has been prepared for this proposal. It was posted for public review on June 22, 2000 and became final on July 13, 2000. Prior to project approval, this ND must be found adequate to satisfy the requirements of CEQA by the Zoning Administrator. Appendix A contains the required CEQA Finding

**DISCUSSION/ANALYSIS:**

The Sunset Beach Specific Plan/LCP site development regulation in the Sunset Beach Residential District permits the construction of a one or two family dwelling on any legal building site. While the site is only 1,740 square feet, it is a legal building site (Lot 24, Block 415, Tract 21) and a two-family dwelling is a permitted use. Staff's review of the project determined that it conforms to the site development standard for lots between Bay View Drive and Intrepid Lane. The following chart details the proposed development and the required standards.

<b>Development Standard</b>	<b>Proposed</b>	<b>Sunset Beach Requirement</b>
Front setback, ground floor	5 feet	5 feet
Garage setback	5 feet	5 feet
Front setback, other floors	6 inches	6 inches
Side setback, all floors	3 feet	3 feet
Rear setback, all floors	5 feet – 8 inches	5 feet
Upper level open decks	6 inches	6 inches
Building height	35 feet	35 feet
Off-street parking	2 tandem spaces per unit	2 per unit, may be in tandem
Garage size	9 ½ feet by 39 feet	9 feet by 36 feet (each space 9 feet by 18 feet, covered or uncovered)
Open area	Total open area – 253 square feet unit A – 203 square feet unit B – 51 square feet	180 square feet total for both dwelling units

While the proposed structure is substantially taller and larger than the structure it replaces; it is not out of place with current development trends that have taken place in the vicinity. The structures to the south and north are of newer construction and are three-stories in height. There are still a few older one-story buildings on Bay View Drive which most likely will be replaced by larger multi-story structures in the future.

A few lots to the south of the subject site, at 16792 Bay View Drive, the applicant received approval of Coastal Development Permit No. PA99-0087 on September 2, 1999, to demolish a single-family dwelling and construct a new two-unit condominium. The lot is the same size as the subject site and the condominium approved for that site is identical to this proposal.

Staff has determined that the proposed construction on a two-unit residential condominium conforms to the policies and site development regulations of the Sunset Beach Residential District applicable to the subject site. Staff supports the proposal and submits the recommendation as follows.

**RECOMMENDED ACTION:**

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA00-0051 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

C. M. Shoemaker, Chief  
CPSD/Site Planning Section

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**APPENDICES:**

- A. Recommended Findings
- B. Recommended Conditions of Approval

**EXHIBITS:**

1. Applicant's Letter of Explanation
2. Site Plans

**APPEAL PROCEDURE:**

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.

In addition, this project is within the Coastal Zone and is an "appealable development". Approval of an appealable development may be appealed directly to the California Coastal Commission (telephone number 562-560-5071), in compliance with their regulations, without exhausting the County's appeal procedures.